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David Saliwanchik  
David R. Saliwanchik, Patent Attorney

INFORMATION DISCLOSURE  
STATEMENT  
Patent Application  
Docket No. SPO-129  
Serial No. 10/593,550

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : *Not yet assigned*  
Applicants : Hisae Kume, Hajime Sasaki  
Serial No. : 10/593,550  
Filed : September 19, 2006  
Conf. No. : *Not yet assigned*  
For : Antibacterial Composition

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§1.97 AND 1.98

Sir:

The patent application referred to above was filed in the U.S. Patent Office as a national application under 35 USC §371. A copy of the International Search Report is enclosed for the Examiner's convenience. Applicants have also listed on Form PTO/SB/08 several references which have not been cited in the International Search Report. Copies of these documents are enclosed within.

References F1-F9 and R6 were cited in the International Search Report and are also in a foreign language; however, to meet the duty of disclosure, the applicants have also included a copy of the International Search Report showing the relevancy of each of these cited references. Furthermore, F1-F9 and R6 were also cited in the International Preliminary Report on Patentability

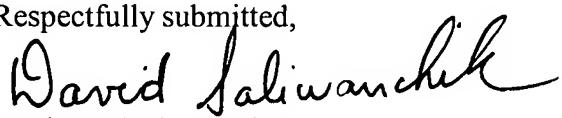
(IPRP) and the Written Opinion (WO). Also enclosed are English translations of the IPRP and the WO.

Please note that references Moriji (R3) and Nakae (R4) are not in English; however, attached are their English translations.

In accordance with 37 CFR §1.56, Applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,



David R. Saliwanchik

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DRS/wrc

Enclosures: Form PTO/SB/08 (2 pages)  
Cited references (14)  
International Search Report  
International Preliminary Report on Patentability  
Written Opinion

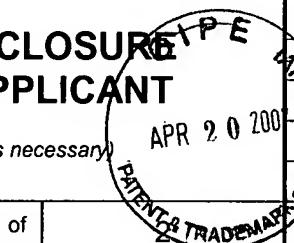
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1



of

Attorney Docket Number

## Complete if Known

|                        |                    |
|------------------------|--------------------|
| Application Number     | 10/593,550         |
| Filing Date            | September 19, 2006 |
| First Named Inventor   | Hisae Kume         |
| Art Unit               | Not yet assigned   |
| Examiner Name          | Not yet assigned   |
| Attorney Docket Number | SPO-129            |

## U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant<br>of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|---|--------------------------------|--|---|
| U1                 | US-                   |   |                                |  |   |
| U2                 | US-                   |   |                                |  |   |
| U3                 | US-                   |   |                                |  |   |
| U4                 | US-                   |   |                                |  |   |
| U5                 | US-                   |   |                                |  |   |
| U6                 | US-                   |   |                                |  |   |
| U7                 | US-                   |   |                                |  |   |
| U8                 | US-                   |   |                                |  |   |
| U9                 | US-                   |   |                                |  |   |
| U10                | US-                   |   |                                |  |   |
| U11                | US-                   |   |                                |  |   |
| U12                | US-                   |   |                                |  |   |
| U13                | US-                   |   |                                |  |   |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>Or Relevant Figures Appear | T <sup>4</sup> |
|--------------------|-----------------------|---|--------------------------------|--|---|----------------|
|                    |                       | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                |  |   |                |
| F1                 | JP 59-187734 A        |   | 10-24-1984                     | Haraguchi et al.                                   | All   |                |
| F2                 | JP 60-016931 A        |   | 01-28-1985                     | Ueda et al.  | All   |                |
| F3                 | JP 64-20057 A         |   | 01-24-1989                     | Matsunami et al.                                   | All   |                |
| F4                 | JP 3-285641 A         |   | 12-16-1991                     | Kageyama et al.                                    | All   |                |
| F5                 | JP 5-252896 A         |   | 10-05-1993                     | Arima et al.                                       | All   |                |
| F6                 | JP 6-98717 A          |   | 04-12-1994                     | Arima et al.                                       | All   |                |
| F7                 | JP 7-155103 A         |   | 06-20-1995                     | Nagai et al.                                       | All   |                |
| F8                 | JP 9-70256 A          |   | 03-18-1997                     | Iwasaki et al.                                     | All   |                |
| F9                 |                       |   |                                |  |   |                |
| F10                |                       |   |                                |  |   |                |
| F11                |                       |   |                                |  |   |                |
| F12                |                       |   |                                |  |   |                |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**

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Sheet

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of

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**Complete if Known**

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| First Named Inventor   | Hisae Kume         |
| Art Unit               | Not yet assigned   |
| Examiner Name          | Not yet assigned   |
| Attorney Docket Number | SPO-129            |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.             | T <sup>2</sup> |
|--------------------|-----------------------|--|----------------|
|                    | R1                    | GOEPFERT, J. M. et al., "Behavior of Salmonellae in Sliced Luncheon Meats," <i>Applied Microbiology</i> , January 1970, pages 190-192, Vol. 19, No. 1.   |                |
|                    | R2                    | KAWAI, Y. et al., "Gassericin A; an Uncommon Cyclic Bacteriocin Produced by <i>Lactobacillus gasseri</i> LA39 Linked at N- and C-Terminal Ends," <i>Biosci. Biotechnol. Biochem.</i> , December 1998, pages 2438-2440, Vol. 62, No. 12.                                      |                |
|                    | R3                    | MORIJI, T., Internet Article: <i>Nyusankin no Kino wo Ikashita biopreservation (Biopreservation utilizing the functions of lactic acid bacteria)</i> <a href="http://www.nyusankin.or.jp/scientific/moriji_1.html">http://www.nyusankin.or.jp/scientific/moriji_1.html</a> . | *              |
|                    | R4                    | NAKAE, T., <i>Nyu Niku Tamago No Kagaku (Science of Milk, Meat and Egg)</i> , 1986, pages 132-137.   | *              |
|                    | R5                    | SHAH, N., "Some Beneficial Effects of Probiotic Bacteria," <i>Bioscience Microflora</i> , May 2000, pages 99-106, Vol. 19, No. 2.  |                |
|                    | R6                    | SUGAMATA, A. et al, "Atarashii Yogurt-Honey (Y-H) Seizai YH8280 no Shiyo Keiken," <i>Nessho</i> , March 1984, pages 25-30, Vol. 9, No. 2.  |                |
|                    | R7                    |  |                |
|                    | R8                    |  |                |
|                    | R9                    |  |                |
|                    | R10                   |  |                |

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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